

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 22158 of 2005

Between:

K. Satyanarayana

..... PETITIONER

AND

The Station House Officer,

V Town Police Station,

Dondaparthy Visakhapatnam District

.....RESPONDENT

ORDER:

Seeking a Mandamus, declaring the action of the respondent in compelling the petitioner to sell his house plot in Sy.No.40, D.No.45-25-1, Akkayapalem, Visakhapatnam Town to third parties, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner. Though notice issued before admission and granted two weeks time, the respondent did not choose to send instructions to the learned Government Pleader for Home.

The grievance of the petitioner is that he is the absolute owner of the property mentioned in the writ petition and he has been in possession and enjoyment of the same. One P.L.N.Prasad, Ex-Municipal Corporator of Visakhapatnam and his henchman Sri Ramana and others who are residents of same locality pressurized him to sell his house for lesser price, for which the petitioner refused. During August, 2005 the petitioner along with his wife went to Hyderabad for taking medical treatment and stayed there for one month. In their absence, the said P.L.N.Prasad and Ramana along with their men forcibly entered into his house and taken away the household articles, and therefore, the petitioner lodged a complaint before the respondent on 26.09.2005. The respondent, without registering his complaint, insisted him to sell away his property to P.L.N.Prasad and interfering with his civil rights and liberty.

Having regard to the facts and circumstances as explained by the petitioner, I deem it appropriate to dispose of the writ petition, with a direction to the respondent to register the complaint of the petitioner dated 26.09.2005, if not already registered, and investigate into the matter, without interfering with the civil rights and liberty of the petitioner. However, the petitioner is directed to file a fresh report before the respondent, if the F.I.R is not registered, enclosing copy of this order, so as to enable the respondent to take up appropriate action, in accordance with law.

With the above observations, the Writ Petition is disposed of. No order as to costs.

V.ESWARAIAH,J

Dated: 26.10.2005

Dsr

Note:

Issue CC in one week

B/o

Dsr